

Durham Workforce Development Board
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To: All Durham Local Area WIA Youth Service Providers.

From: James Wragge
WIA Performance Analyst

Subject: Procedures for Determining Low Income Status for Youth (18-21).

1. **Purpose:** Provide clarification of the policy for determining family size and low income status for participants in the WIA youth program.
2. **Reference:** Workforce Investment Act of 1998 Section 101 (25) and Workforce Investment Act Client Form Completion Guide.
3. **Background:** Section 101 (13) of the Workforce Investment Act of 1998 establishes the eligibility guidelines for youth to receive services. To qualify for assistance for the WIA youth program an individual must be low-income as defined in section 101 (25). Five percent (5%) of the youth served in the Durham Local Area may be non low-income individuals that meet one or more of the following criteria:
 - a. School drop-out
 - b. Offender
 - c. Basic skills deficient
 - d. One or more grade levels below the grade level appropriate to the individual's age.
 - e. Pregnant or parenting
 - f. Possess one or more disabilities, including learning disabilities
 - g. Homeless or runaway
4. **Definition of low-income:** A low income individual is defined in WIA section 101 (25) as any person:
 - a. Receiving public assistance [Temporary Assistance to Needy Families (TANF), General Assistance (GA), Refugee Cash Assistance (RCA), or Supplemental Security Income (SSI)]
 - b. Family income for the 6-month period prior to application, in relation to family size, that does not exceed the higher of the poverty level income or 70% of the lower living standard income level for the period, whichever is higher

- c. Member of a household that receives Food Stamps
- d. Homeless
- e. Foster Child
- f. An individual with a disability whose own income in relation to a family size of one does not exceed the higher of the poverty level or 70% of the Lower Living Standard Income level.

5. **Definition of Family Size [101 (15)]:** The federal definition of “family” in the Workforce Investment Act stipulates, in part, that a family is two or more persons..., so any applicant with a family size of less than two is designated as “not a family member.” That person’s family size will be “one” and only his or her own income will be counted in the eligibility determination for youth.

For an individual 18-21 to be considered “not a family member” and have only his or her own income count toward determining eligibility under section 4(b) (six (6) month family income family size criterion), the individual must **not** meet the criteria of a dependent child. A **dependent child** is defined as one for whom either one or both parents or a legal guardian is responsible for providing more than 50% of his/her support as of the APPLICATION DATE. Support is the total cost of one’s food, clothing, shelter, medical care, and education. The guardian relationship does not include grandparent unless the grandparent has been made the legal guardian of the child through a court order.

6. **Determining Low-Income Status:** The simplest path to determine “low-income” status should be pursued first, with the more complex method, using family income and family size, being the least desirable choice. The following hierarchy of decisions and possible determinations is offered.
- a. If the applicant can be determined low-income via any item under “Public Assistance”, item 4, is HOMELESS, or a FOSTER CHILD.
 - b. If the applicant has a disability and is a member of a family whose income is above the maximum in the low-income criteria, the applicant shall be “not a family member,” which equates to a “family of one,” with only his or her income counted.
 - c. If the applicant is in jail or prison, the applicant shall be considered “not a family member” (family of one) with only his or her own income counted.
 - d. Family size and family income. If family size is used in the eligibility determination process, it **must** be verified before a determination of eligibility is made.
7. **Determining Family Income:** Family income is the total income of all family members for the six (6) month period prior to the date of application. The six (6) month period is defined as the 26 weeks immediately prior to the application date or alternate application date, as appropriate, ending with the last Saturday prior to the application date or alternate application date, as appropriate.

When figuring the applicant’s income, **do not include:**

- a. Unemployment Compensation

- b. Child support payments
- c. Cash payments made under a federal, state, or local income-based public assistance program [Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), General Assistance (GA), Refugee Cash Assistance (RCA)]; or
- d. Old age and survivor insurance benefits received under Section 202 of the Social Security Act (42 U.S. C. 402) (Social Security Disability Payments under Title II are not excluded.)
- e. Income or payments received under a federal statute when such statute specifically provides that income or payments received under that statute shall be excluded in determining eligibility for and the level of benefits received under any other federal statute
- f. Pay or allowances received by a veteran while on active military duty, as well as amounts received by eligible veterans under the following Chapters of Title 38, United States Code (U.S.C.) 4213

Chapter 11	Disability Compensation
Chapter 13	Dependency Indemnity Compensation (DIC)
Chapter 31	Training Rehabilitation for Service Connected Disability
Chapter 34	Veterans Education Assistance
Chapter 35	Survivors and Dependents Educational Assistance
Chapter 36	Administration of Education Benefits, Apprenticeship, and On-the-Job Training

8. **Documentation verification:** All criteria used in the eligibility determination process, **must** first be verified before a determination of eligibility is made. A list of verification sources for each criterion can be found in the WIA Client Form Completion Guide. This guide is available on-line at www.ncwia.com/faq.asp.
9. **Income and Family Status Worksheet:** The income and family status worksheet (attachment A) will be used by all youth service providers to determine family size and family income. The worksheet is available in an excel spreadsheet format or in paper form. It is recommended that the worksheet be completed in excel and then printed, signed, and placed in the participant file. Information from the worksheet must also be entered into the “Current Income Data” section of Workforce Plus. The “Personal Income”, “Family Income”, and “Monthly Cash Assistance” fields will be completed if applicable. Information on each of these fields can be obtained from the WIA Client Form Completion Guide.
10. **Action:** All WIA Youth Service providers will utilize the “Income and Family Status Worksheet” to determine income and family size and place a copy in the participants file.
11. **Effective Date: Immediate**
12. **Expiration Date: Indefinite**